

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 AYLIN ALDERETTE,

4 Plaintiff,

5 vs.

6 MEDICAL STAFF, et al.,

7 Defendants.

Case No. 2:24-cv-02119-GMN-EJY

ORDER

8 Plaintiff Aylin Alderette brings this civil-rights action under 42 U.S.C. § 1983 to redress
9 constitutional violations that she allegedly suffered while incarcerated at Florence McClure
10 Women's Correctional Center. (ECF No. 1). On December 30, 2024, in response to the Court's
11 order giving Alderette until January 17, 2025, to either pay the full \$405 filing fee or file a complete
12 application to proceed *in forma pauperis*, she filed a motion to voluntarily dismiss this action
13 without prejudice. (ECF No. 5). Voluntary dismissals under Federal Rule of Civil Procedure
14 41(a)(1)(A)(i) do not require a court order when, like here, no party has served "either an answer
15 or a motion for summary judgment[.]"

16 **IT IS HEREBY ORDERED** that the Motion for Voluntary Dismissal (ECF No. 5) is
17 construed as a notice voluntarily dismissing this action without prejudice under Rule
18 41(a)(1)(A)(i), and this action is dismissed without prejudice.

19 It is further ordered that Alderette's Application to Proceed *in Forma Pauperis* (ECF No. 3)
20 is **DENIED** as incomplete and moot.

21 The Court kindly directs the Clerk of Court to close this case.

22 **DATED** this 31 day of December, 2024.

23 
24 Gloria M. Navarro, District Judge
25 UNITED STATES DISTRICT COURT